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C O N F I D E N T I A L SECTION 01 OF 04 ALGIERS 000716

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SUBJECT: CONTROVERSY ON VOTE COUNT LINGERS FOLLOWING
LEGISLATIVE ELECTIONS

REF: ALGIERS 680

Classified By: Ambassador Robert S. Ford; reasons 1.4 (b, d)

11. (C) SUMMARY: Said Bouchair, the president of the independent election commission, and Nouredine Zerhouni, the minister of interior, are engaged in a very public battle on the transparency of the May 17 vote for national parliament. After Zerhouni said Bouchair's letter to President Bouteflika outlining irregularities in the election process had been withdrawn with an apology, Bouchair -- and all members of the independent commission except the representatives of the main government party, the FLN, and the communist Workers' Party -- fired back saying the letter had not been withdrawn and reflected the consensus of the commission. Bouteflika has remained silent on the controversy, at least while the certification process of the vote and various appeals processes run their course. Likewise, most political parties have declined to discuss their complaints in detail with us. The president of the secular opposition RCD acknowledged some irregularities and thought the seriousness of the irregularities this time exceeded what occurred during the 2002 legislative elections. A senior official at the Islamist MSP told us May 22 that there were voting irregularities throughout Algeria, but he opined that there was less fraud than in previous elections. Attention is now turning to a widely expected imminent cabinet shuffle. While there is no consensus on the shape of the future cabinet, there is general speculation that Mohamed Bedjaoui will no longer be Foreign Minister and that PM Belkhadem will retain his post. A sociologist from the University of Algiers predicted to us that Algeria is headed towards another 1988 when political and economic frustration suddenly spilled out into the streets of all of Algeria's major cities. Nearly all observers doubt there will be any sudden threat to stability of the government, but most think discontent is slowly building in the cities and towns. Regrettably, the elections have done little to encourage public faith in the democratic process, and marked a lost opportunity to advance Algeria's political evolution. We don't know yet whether the newly elected parliament will be a more serious institution that helps promote accountability and helps build fraying public trust. We will need to get a sense of the new leadership of the parliament and then decide whether or not it makes sense to sustain our engagement with the parliament through MEPI. End Summary.

INDEPENDENT ELECTION COMMISSION CRIES FOUL

12. (U) Said Bouchair, president of the independent election commission overseeing the May 17 parliamentary elections, sent a letter the day of the elections to President Bouteflika reporting that electoral incidents (irregularities) were reported by political parties' polling place observers across Algeria during Thursday's legislative elections. According to press reports, the commission's letter called on Bouteflika to intervene in order to stop the quote serious abuses that have accompanied the electoral process and which have exceeded the limits of isolated cases end quote. Bouchair further indicated in the letter that some polling stations, notably Rouiba in the wilaya (province) of Algiers, refused to open ballot boxes to verify that they were empty before the polling began. He wrote that some ballot boxes had been filled with envelopes in favor of candidates of the National Liberation Front (FLN) and complained that some polling stations had not had on hand ballots for certain political parties. He cited the cases of the Rally for Culture and Democracy (RCD) in Blida and the Movement for a Society at Peace (MSP) in Saida with respect to the latter. The letter criticized the FLN's campaign activities on the day of the vote (in violation of Algerian law) notably in Ait Timouchent. In another complaint, the letter noted that some itinerant polling stations for nomads and tribes in El Oued were confiscated and hidden by voters who wanted to protest against the holding of the election. The letter was signed by Bouchair and all political party members of his commission, except the FLN and communist Workers' Party, according to press reports.

13. (U) In his May 18 press conference, Interior Minister

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Zerhouni responded to Bouchair's letter, downplaying its significance by noting the letter had been withdrawn hours after it was written (ref). He also remarked that Bouchair had apologized for writing the letter. In May 19 statements to the press, Bouchair took issue with Zerhouni's characterization of events, stating that Zerhouni's declarations were quote totally irresponsible unquote and underlining that he had not and would not retract the letter.

(He noted he had no authority to do so since the large majority of political parties on the commission had insisted he send it and he was only the coordinator of the commission.) Bouchair added that the Interior Minister ought to apologize for the poor conduct of the elections and explain how the problems had occurred. The independent election commission headed by Bouchair backed his position, expressing in a press release its surprise at the declarations made by Interior Minister. In the press release, the commission affirmed that the letter addressed to the president was quote the fruit of a collective work and Said Bouchair was instructed to explain the letter to the press and has nothing to apologize for end quote. The commission further underscored that it had accomplished its mission of safeguarding the national interest in the elections by rejecting all attempts aimed at undermining the credibility of the balloting process despite the very different views of the political parties represented on the commission.

POLITICAL PARTIES LETTING THE APPEALS PROCESS WORK

14. (C) Most of the political parties that we contacted for comment on the letter controversy declined to offer an opinion. With uncharacteristic uniformity, the parties told us it was inappropriate to comment on such matters, especially before the Constitutional Council had issued the final election results and all possible appeals were exhausted. RCD's Mohcine Belabbas and the Workers' Party Abdelhamid Boubaghla, representatives of the two largest opposition parties (based on unofficial returns) worried that declarations or comments might (negatively) affect our

parties. Farid Hebaz, the top aide to the Muslim Brotherhood affiliated MSP party leader Abudjerra Soltani, himself a cabinet minister, told Ambassador May 22 that there had been voting irregularities across Algeria. He alleged there were instances of ballot box stuffing in the eastern province of el Oued and in the cities of Algiers and Constantine. He said the MSP for the most part was able to get its observers into polling stations, although he claimed there were instances where they were blocked. Hebez also observed that there was no supervision over the transmission of vote counts up the chain. Nonetheless, Hebaz opined that in general the conduct of the elections was better than in elections past. Hebaz and Nouredin Ait Messoudene, the MSP executive director, in separate conversations each tended with us to downplay the perception of gigantic fraud. They each underlined that MSP would accept the final decisions of the Council.

15. (C) Said Sadi, president of the second-largest opposition party for the coming parliament, told DCM May 22 that his party had seen evidence that political party observers at some polling stations had signed blank tally sheets, rather than signing off on the vote tally as counted at the poll. (Hebaz made the same accusation.) Sadi, whose party boycotted the 2002 legislative elections, said the irregularities in the 2002 elections were "less serious" than those of which he was aware this time. Sadi also opined that the security services engineered the victories for the large number of small parties that won seats to create a "cacophony" in parliament and thereby dilute the speeches of the traditional opposition parties. (Note: We expect the parties will provide more details about their complaints once the appeals process with the Constitutional Council fully runs its course. End Note.)

16. (C) The Constitutional Council certified the election results May 21, making minor adjustments in the total seats originally allocated (reftel) by the interior ministry. After the Council's intervention, RND picked up an additional seat at the expense of MSP, and the small National Algerian

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Front (FNA) picked up two seats at the expense of the National Party for Solidarity and Development. The Council based its decisions on complaints filed by political parties following the balloting. The May 21 decisions are not final, however, and political parties had the right to file additional complaints on May 22 on which the Council will rule shortly.

ABSTENTION RATE SIGNALS VOTE OF PUBLIC NO CONFIDENCE

17. (C) Algerian political leaders and experts expressed disappointment at the low voter turnout -- officially 35.51 percent, though said by many observers to be much lower. RCD's Sadi noted that turnout was historically low in the Berber provinces and Algiers. Abdelkrim Ait Abdelrahman, professor of politics and international relations at the University of Algiers, told us the poor turnout showed that Algerians were not interested in parliament and how it works. They lacked confidence in MP's who shower the populations with promises during the campaign and never deliver on them. He maintained that the elections were a referendum on the government's performance, as represented by the three presidential coalition parties, and the confidence of youth in the political process. Youth, the professor said, clearly expressed a vote of "no confidence" in that the voters were overwhelmingly their elders. Lakhdar Benkhellaf, national secretary of Abdallah Djaballah's Islah (who was excluded

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from the elections), said the elections clearly demonstrated the people's lack of confidence in state institutions and showed that Algerians were mature enough, faced with restricted choices, to abstain from voting. Of more personal

interest, Benkhellaf noted that Islah under the leadership of Mohamed Boulahia won only three seats in parliament, a far cry from the 40 seats that Islah, under Djaballah's leadership in the 2002 parliamentary elections, had won. Here again, said Benkhellaf, the Algerian people showed they were not fools. Hebaz from the Islamist MSP was happy about his party picking up 13 seats but he too commented that the elections demonstrated declining public confidence in the system. It was imperative, he noted, that the political system generally, and the election system as an element of that, be more transparent and open. He was not optimistic about change soon, however.

CABINET CHANGE MAY BE LITTLE CHANGE

18. (C) With the elections done, the issue of constitutional revision is resurfacing. Respected political journalist for the French-language Expression Brahim Takhroubt told us not to expect any constitutional amendments this calendar year. He said the low voter turnout signaled to the government that any constitutional reforms should be put on hold. Besides, there was no provision in the budget for holding a referendum in 2007. While Takhroubt did not rule out passing such measures by parliamentary vote, he thought the political class would not want to deal with constitutional reforms before the October local elections. An expert on the FLN, Takhroubt said he expected PM Belkhadem would be retained as prime minister, in spite of his party's relatively poor showing. Most other contacts with whom we have spoken concurred. Takhroubt expected Bouteflika's reappointment of Belkhadem would be conditioned on Belkhadem's agreeing to include opposition parties in the cabinet, possibly the Algerian National Front (FNA) and RCD, though RCD's Said indicated he expected to remain in opposition. In general, there are as many views of what the new cabinet will look like as there are contacts, though with the passing days expectations of significant changes. There is, however, a general expectation that FM Bedjaoui will either move to Justice (to close out his career where he began it) or retire. (The names widely circulating on the cocktail circuit to replace Bedjaoui include former UN envoy Lakhdar Brahimi, now teaching at Princeton, and Algeria's ambassador to Mali, Abdelkrim al-Gharieb.)

COMMENT

19. (C) COMMENT: President Bouteflika has remained silent

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despite the public spat between Bouchair and his interior minister. Whatever doubts about the process may linger, we expect him to stand by the election results, which the Constitutional Council, whose president is a stolid member of the FLN establishment, appears unlikely to change further. This election, marked by low turnout, a remarkably high ballot-spoilage rate (about 15 percent), and various complaints of irregularities, signaled near-total inertia in the political system. The elections in terms of mechanics and outcome are not so different from those of 1997 or even 2002. The entire system, including the role the Parliament has played so far under the 1996 constitution, has generated great public cynicism. Our senior contacts in the political class here have concluded uniformly that the system has effectively frozen, and there's no sign of when they might un-freeze again. Their views differ markedly, however, over how serious the situation is. Zoubir Arrous, a University of Algiers sociologist told Ambassador May 21 that Algeria is headed towards another 1988 with its widespread rioting by unhappy youth. Others, more numerous, anticipate Algeria simply continue to limp along as it has for the last few years even as discontent slowly builds in the cities and towns. Regrettably, the elections have done little to encourage public faith in the democratic process, and marked a lost opportunity to advance Algeria's political evolution.

It is too early to know whether or not the newly elected parliament will take a more activist role in government. If it was more aggressive in terms of insisting on government accountability, it could help start to rebuild public confidence. We will need to get a sense of whether the new leadership of the parliament is more serious about trying to build pluralistic decision making in government and thus whether or not it makes sense for us to sustain our engagement with the parliament through MEPI.

FORD